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10/553,699	09/08/2006	Choon Meng Chan	PA030013	1995

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Joseph J. Laks, Vice President
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EXAMINER
RIZK, SAMIR WADIE

ART UNIT	PAPER NUMBER
2112	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 November 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>03 June 2009</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

Detailed Action

- Response to the applicant's amendment dated 11/17/2009

- Claims 1-10 have been submitted for examination

- Claims 1-10 have been rejected

Response to Arguments

1.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the emphasized features upon which applicant relies (i.e., "Among the problems addressed by the present invention is the effect of errors in insignificant portions of a received data transmission on a reception verification algorithm that relies upon comparing multiple transmissions of the same data for checking consistency, such as the NOAA Weather Radio Specific Area Message Encoding ("NWR-SAME") system. See page 4, lines (9-13)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

2.   Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Li US

patent no. 6636832 (Hereinafter Li).

4.   In regard to claim 1, Li teaches:

- (Currently Amended) Method to decode a received data string in a processing

   device, said data string being part of a message containing non-data elements

   and data string elements of varying length, comprising the steps of:

- locating a predefined subset of the data string (Figure 3, step (302) & (308) and

   col. 6, lines (66/67) and col. 7, lines (21-24) wherein Li teaches "valid syncword"

   as the subset of the data string as cited in claim 1), said subset consisting of data

   string elements considered as most significant; and

- checking agreement of only said subset of repeated data string elements.

   (Figure 3, step (308) in Li)

5.   In regard to claim 2, Li teaches:

- (Previously Presented) Method according to claim 1, comprising the steps of:

- determining the length of said data string;

  (Figure 2, ref. (52) in Li)

- pinpointing predetermined data positions using said length;

  (Figure 2, ref. (52) & (62) in Li)

- removing data from said data string starting from a position determined by said

  length.

  (Col. 6, lines (37-53) in Li)

5.   In regard to claim 3, Li teaches:

- (Previously Presented) Method according to claim 2, wherein the determining

  step consists in locating a predetermined sequence in said data string.

  (Figure 2, ref. (58) and col. 7, lines (1-10) in Li)

6.   In regard to claim 4, Li teaches:

- (Previously Presented) Method according to claim 1, further comprising the steps

  of: comparing, byte by byte, different data strings assumed to contain identical

  data; taking as correct data those bytes for which said comparison gives the

  result "identical".

  (Figure 3, ref. (308) in Li)

7.   In regard to claim 5, Li teaches:

- (Previously Presented) Method according to claim 1, further comprising the steps

  of:

- locating a predefined important segment as significant part of the data strings

  remaining after the previous step;

(Figure 3, step (306) in Li)

- disregarding the data locations that do not belong to said important segment; and further checking only the important segments.

  (Figure 3, step (304) in Li)

8.   In regard to claim 6, Li teaches:

- (Previously Presented) Method according to claim 1 comprising the further step of:

- searching for meaningful data in case that no correct data can be determined.

  (Figure 3, step (308) "NO" valid potential syncword Lin continue search the data file in step (302) in Lin)

9.   In regard to claim 7, Lin teaches:

- (Previously Presented) Method according to claim 1 comprising the further step of:

- searching for a predefined header code block; and

  (Figure 2, ref. (58) in Li)

- attaching a header code block at the start of the received data string if no such header code block is found in the preceding step.

  (Figure 2, ref. (58) & (62) in Li)

10.   In regard to claim 8, Li teaches:

- (Previously Presented) Method according to claim 1 comprising the further step of:

- checking for a predetermined set of symbols at a predetermined location of the
  data string; and

  (Figure 2, ref. (58) in Li)

- inserting to or removing from the data string symbols so as to shift the
  predetermined location if the check of the previous step did locate them at a
  different position.

  (Figure 2, ref. (58) & (62) in Li)

11. Claims 9 and 10 are rejected for the same reasons as per claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Sam Rizk whose telephone number is (571) 272-
8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone
number for the organization where this application or proceeding is assigned is
(703) 872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Should you have questions on access to the Private PAIR system, contact the

Electronics Business Center (EBC) at 866-217-9197 (toll-free)

/Sam Rizk/

Primary Examiner, Art Unit 2112